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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

GREGG BERKELEY, on behalf of himself  
and all others similarly situated,

Plaintiffs,

v.

INTEL CORPORATION and the  
Administrative Committee of the Intel  
Minimum Pension Plan,

Defendants.

**Civil Action No. 5:23-cv-00343-EJD**

**JOINT STATUS REPORT**

1 Pursuant to the Court's Order at ECF 38, Plaintiff Gregg Berkeley ("Plaintiff") and  
2 Defendants Intel Corporation and the Administrative Committee of the Intel Minimum Pension Plan  
3 ("Defendants") hereby submit this Joint Status Report.

4 Plaintiff filed this action on January 23, 2023, and asserts putative class action claims under  
5 ERISA relating to the methodology the Intel Minimum Pension Plan uses to calculate pensions for  
6 married retirees. On April 3, 2023, the Defendants answered Plaintiff's complaint. ECF 22. The  
7 parties subsequently stipulated to participating in private alternative dispute resolution pursuant to  
8 Civil L.R. 16-8 and ADR L.R. 3-5. ECF 36.

9 The parties agreed to phase discovery to determine whether early resolution of the case  
10 was possible. ECF 33 at 8. As part of its first phase, Plaintiff sought and received information  
11 necessary to engage in meaningful mediation, which included recordkeeping data about the  
12 putative class's pensions and demographics, actuarial reports, and governing plan instruments.

13 The parties engaged in a full-day mediation before JAMS mediator Robert Meyer on  
14 August 31, 2023. The parties were unable to reach a resolution on that day. However, the parties  
15 are continuing settlement talks with the assistance of Mr. Meyer. Notwithstanding the foregoing,  
16 the parties intend to proceed with discovery and litigation pursuant to the Court's Case  
17 Management Order at ECF 35.

1 Dated: September 7, 2023

By: /s/ David. S. Kurtzer-Ellenbogen

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By: /s/ Caroline E. Bressman

16 Dated: September 7, 2023

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**ECF ATTESTATION**

Pursuant to Civil Local Rule 5-1(h)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatory above.

/s/ Caroline E. Bressman

Caroline E. Bressman